APPENDIX A.

Order of the Court of Appeals, Dated December 28, 1956, Denying Petition for Mandamus and/or Prohibition.

No. 595-Miscellaneous.

Present: Healy, Fee and Hamley, Circuit Judges.

Upon consideration thereof, and by direction of the Court, IT IS ORDERED that the petition of James Nasser Productions, Inc., Ressan Incorporated, James Nasser, Strand Productions, Inc., Charles Weintraub and Quality Films, Inc., for a writ of mandamus and/or prohibition directed to the Honorable Thurmond Clarke, as Judge of the United States District Court for the Southern District of California, Central Division, and the United States District Court for the Southern District of California, Central Division, be, and hereby is denied.

APPENDIX B.

Order of the Court of Appeals, Dated January 31, 1957, Denying (1) Petition for Rehearing, (2) Application for Leave to File Supplemental Petition for Writ of Mandamus Etc., and (3) Petition for Leave to Apply for Hearing En Banc.

No. 595-Miscellaneous.

Present: Healey, Fee and Hamley, Circuit Judges.

Upon consideration thereof, and by direction of the Court, IT IS ORDERED that the petition of James Nasser Productions, Inc., Ressan Incorporated, James Nasser, Strand Productions, Inc., Charles Weintraub and Quality Films, Inc. for (1) Petition for rehearing, (2) For leave to file supplemental petition for writ of mandamus, etc., and (3) For leave to apply to this Court for a hearing en banc, be, and each of them hereby is denied.

APPENDIX C.

Statutes and Rules Involved.

"ALL WRITS ACT," 28 U. S. C. 1651(a):

"The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law."

CERTIORARI, 28 U. S. C. 1254:

"Courts of Appeals; certiorari; appeal; certified questions.

Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:

(1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree."

FEDERAL RULES OF CIVIL PROCEDURE, 28 U. S. C.:

Rule 54(b). *"Judgment Upon Multiple Claims.*

"When more than one claim for relief is presented in an action, whether as a claim, counterclaim, cross-claim, or third-party claim, the court may direct the entry of a final judgment upon one or more but less than all of the claims only upon an express determination that there is no just reason for delay and upon an express direction for the entry of judgment. In the absence of such determination and direction, any order or other form of decision, however designated, which adjudicates less than all the claims shall not terminate the action as to any of the claims, and the order or other form of decision is subject to revision at any time before the entry of judgment adjudicating all the claims."

DEPOSITIONS AND DISCOVERY, RULES 26-37:

Rule 26: *"Depositions Pending Action.*

"(a) *When Depositions May Be Taken.* Any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for the purpose of discovery or for use as evidence in the action or for both purposes. After commencement of the action the deposition may be taken without leave of court, except that leave, granted with or without notice, must be obtained if notice of the taking is served by the plaintiff within 20 days after commencement of the action. The attendance of witnesses may be compelled by the use of subpoena as provided in Rule 45. Depositions shall be taken only in accordance with these rules. The deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes.

"(b) *Scope of Examination.* Unless otherwise ordered by the court as provided by Rule 30(b) or (d), the deponent may be examined regarding any matter, not provileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the examining party or to the claim or defense or any other party, including the existence, description, nature, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts. It is not ground for objection that the testimony will be inadmissible at the trial if the testimony sought appears reasonably calculated to lead to the discovery of admissible evidence."

Rule 34: *"Discovery and Production of Documents and Things for Inspection, Copying, or Photographing.*

"Upon motion of any party showing good cause therefor and upon notice to all other parties, and subject to the provisions of Rule 30(b), the court in which an action is pending may (1) order any party to produce and permit the inspection and copying or photographing, by or on behalf of the moving party, of any designated documents, papers, books, accounts, letters, photographs, objects, or tangible things, not privileged, which constitute or contain evidence relating to any of the matters within the scope of the examination permitted by Rule 26(b) and which are in his possession, custody, or control; or (2) order any party to permit entry upon designated land or other property in his possession or control for the purpose of inspecting, measuring, surveying, or photographing the property or any designated object or operation thereon within the scope of the examination permitted by Rule 26(b). The order shall specify the time, place, and manner of making the inspection and taking the copies and photographs and may prescribe such terms and conditions as are just."